

Remarks/Arguments:

Claims 1-6 are pending in the above-identified application.

Claims 1 and 3-6 were rejected under 35 U.S.C. § 103 (a) as being obvious in view of Kosaki, Javor et al. and Gross. Claim 1 is amended to include features not disclosed or suggested by Kosaki, Javor et al. and Gross, namely,

... at least one stored geographical feature including a height component having a height different than a height of the mobile receiver apparatus ...

... the pattern for the directivity of the antenna is further calculated by a combination of the current position of the mobile receiver apparatus and the height component of the at least one stored geographical feature.

Basis for the amendments may be found, for example, in the specification at page 8, line 25 to page 9, line 4 and Fig. 4. No new matter has been added.

Applicants' exemplary embodiment, may store geographical features, such as buildings or mountains in proximity to the current position of the mobile receiver apparatus. For example, a broadcast signal 42s may reflect off of a skyscraper 43 and its reflection 41s may be received by mobile receiver apparatus 41. (Page 8, line 25 to page 9, line 4 and Fig. 4). The height of the skyscraper 43 is different than the height of the mobile receiver apparatus 41. Thus, Applicants' exemplary embodiment includes "...at least one stored geographical feature including a height component having a height different than a height of the mobile receiver apparatus," as recited in claim 1.

The Examiner admits that Kosaki and Javor et al. do not disclose storing geographical features which have respective height components in proximity to the current position of the mobile." (Office Action, page 4, lines 1-6). The Examiner argues, however, that Gross discloses these features.

Gross teaches a method for synthesizing an antenna pattern based on the geographical distribution of subscribers. As an individual communication beam is steered toward terrestrial based subscribers, the antenna pattern is shaped to minimize interference from terrestrial-based emitters. (Col. 2, lines 53-64). A satellite 200 determines the directions of communication beam 210 from the satellite 200 to terrestrial based subscribers 105, 115, 125.

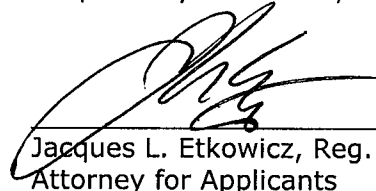
Gross recites, "the directions are expressed in the form of azimuth and elevation angles." (Col. 4, lines 44-48). The Examiner argues that these "elevation angles" are equivalent to Applicants' claimed "...geographical features which have respective height components in proximity to the current position of the mobile receiver apparatus..." The "elevation" in Gross, however, refers to the height of the subscribers (i.e. Applicants' claimed "mobile receiver apparatus"). That is, the "elevation" does not refer to the height of geographical features in proximity to the subscribers "...having a height different than a height of the mobile receiver apparatus," as recited in claim 1.

Applicants respectfully submit therefore that claim 1 is allowable over the art of record. Claims 3-6 ultimately depend from claim 1. Accordingly, claims 3-6 are likewise allowable over the art of record.

Claim 2 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Kosaki, Javor et al., Gross and Toda et al. Toda et al. fails to make up for the deficiencies, however, of Kosaki, Javor et al., Gross. Accordingly, claim 2 is allowable at least in view of its dependency on allowable claim 1.

In view of the foregoing amendments and remarks, Applicants submit that this Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicants

JLE/DDF/dmw

Dated: January 7, 2008

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700